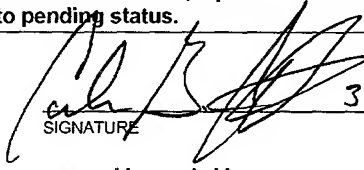


| | | | | | |
|--|--|---|--|---|--|
| FORM PTO-1390 (Modified) (REV 5-93) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER 38331-0003 | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | | |
| | | | | U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.52) 10/049228 | |
| INTERNATIONAL APPLICATION NO. PCT/JP01/04874 | | INTERNATIONAL FILING DATE 08 June 2001 (08.06.01) | | PRIORITY DATE CLAIMED 12 June 2000 (12.06.00) | |
| TITLE OF INVENTION PROCESS OF PRODUCING CAROTENOID PIGMENTS | | | | | |
| APPLICANT(S) FOR DO/EO/US Akira TSUBOKURA and Haruyoshi MIZUTA | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371©(2))</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371 ©(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371©(3))</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371©(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371©(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371©(5)).</p> | | | | | |
| Items 11. to 16. below concern other document(s) or information included: | | | | | |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p style="margin-left: 40px;"><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information:</p> <p style="margin-left: 40px;">(i) PTO/SB/08A with 5 references; (ii) English language copy of International Search Report; (iii) Amendment Accompanying Sequence Listing Under 37 C.F.R. §§ 1.821-1.825; (iv) Statement to Support Filing and Submission; (v) Sequence Listing (paper form and on diskette); and (vi) Copy of Form PCT/IB/308</p> | | | | | |

| U.S. APPLICATION NO. (if known, see 37 CFR 1.50) 10/049228 | | INTERNATIONAL APPLICATION NO. PCT/JP01/04874 | | ATTORNEY'S DOCKET NUMBER 38331-0003 | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--------------|---|------------|---|---------------|--------|--------------|--------------|------|--|--------------|-----------|--|-----------|----|--------------------|---------|--|-----------|----|---|--|--|------------|----|--------------------------------------|--|--|--|-----------------|
| 17. <input checked="" type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS <small>PTO USE ONLY</small> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1040.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$890.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$740.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$710.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 20 ____ 30 ____ months from the earliest claimed priority date (37 CFR 1.492(e)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>11 - 20 =</td> <td></td> <td>X \$18.00</td> <td>\$</td> </tr> <tr> <td>Independent Claims</td> <td>2 - 3 =</td> <td></td> <td>X \$84.00</td> <td>\$</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$280.00</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$890.00</td> </tr> </tbody> </table> | | | | | | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | Total Claims | 11 - 20 = | | X \$18.00 | \$ | Independent Claims | 2 - 3 = | | X \$84.00 | \$ | MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$280.00 | \$ | TOTAL OF ABOVE CALCULATIONS = | | | | \$890.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Claims | 11 - 20 = | | X \$18.00 | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent Claims | 2 - 3 = | | X \$84.00 | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$280.00 | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$890.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Applicants claim small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | | | | \$890.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing English translation later the 20 ____ 30 ____ months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | + | \$ | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | | | \$890.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ 40.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$890.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | Amount to be: | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | refunded | \$ | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | charged: | \$ | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$930.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>08-1641</u> in the amount of \$ ____ to the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-1641</u>. A duplicate copy of this sheet is enclosed.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>SEND ALL CORRESPONDENCE TO: Customer ID No. 26633 Marvin A. Motsenbocker HELLER EHRMAN WHITE & MCAULIFFE, LLP 1666 K Street, NW, Suite 300 Washington, DC 20006 Tel: (202) 912-2195 Fax: (202) 912-2020</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | |  SIGNATURE | <u>31,298</u> | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | NAME: <u>MARVIN A. MOTSENBOCKER</u> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | REGISTRATION NUMBER: <u>36,614</u> | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | DATE: <u>FEBRUARY 11, 2002</u> | | | | | | | | | | | | | | | | | | | | | | | | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 38331-0003

In re patent application of
TSUBOKURA, Akira *et al.*

Application No.: Not yet assigned

Group Art Unit: Unassigned

Filed: February 11, 2002

Examiner: Unassigned

For: PROCESS OF PRODUCING CAROTENOID PIGMENTS

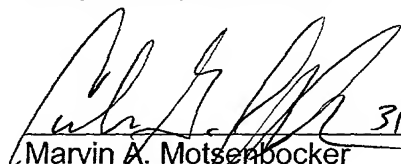
STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825Director of Patents
Washington, D.C. 20231
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter; and
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

Respectfully submitted,

February 11, 2002
Date


31,298
Marvin A. Motzenbocker
Reg. No. 36,614

Heller Ehrman White & McAuliffe LLP
1666 K Street, N.W.
Suite 300
Washington, D.C. 20006
Telephone: (202) 912-2000
Facsimile: (202) 912-2020



26633

PATENT TRADEMARK OFFICE

10049228 "8226400"